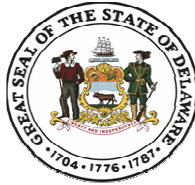


JOSEPH R. BIDEN, III
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DEPARTMENT OF JUSTICE

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PLEASE REPLY TO:

September 10, 2007

[New Castle County-Civil Division]

The Honorable Sue L. Robinson
United States District Court
District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

Re: ***Collins v. Chandler, et al.,***
D. Del., C.A. No. 05-739-SLR

Dear Judge Robinson:

On August 28 and 31, 2007, Plaintiff Curtis Collins ("Collins" or "Plaintiff") filed two Motions for Default in the above-captioned matter against all defendants including State Defendants Chandler, Berezansky and Daisey (D.I. 110, 112) (the "Motions"). By the Motions, Collins requests that the Court enter default judgment against the defendants "for failing too respond too a timely manner [sic]...."

State Defendants do not understand Plaintiff's Motions. To the extent Plaintiff is seeking a default judgment against the State Defendants there is no basis for such relief. State Defendants filed a timely answer in the case and, most recently, filed a motion for summary judgment. Therefore there is no basis for a default judgment and the State Defendants ask that the Court deny the Motions.

The Honorable Sue L. Robinson
September 10, 2007
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If the Court has any questions or concerns, or would like a more formal response from the State Defendants, please contact the undersigned counsel at (302) 577-8400. Thank you.

Sincerely,

/s/ Erika Y. Tross

Erika Y. Tross
Deputy Attorney General
Attorney for State Defendants

cc: Curtis Collins, Plaintiff